

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55164 of 2016

Arising Out of PS.Case No. -320 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

- =====
1. Pradeep Mehta, son of Shiv Poojan Mehta,
 2. Kundan Mehta, son of Shiv Poojan Mehta, both residents of village-
Mahua Shahid, P.S. Aurangabad (Town), District- Aurangabad (Bihar).
- Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Murlidhar, APP
For the Informant : Mr. Santosh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 19-01-2017

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in
Aurangabad (Town) P.S. Case No.320 of 2016 instituted for the
offence under Section(s) 304-B/34 Indian Penal Code.

It is alleged that the daughter of the Informant,
Guriya Devi was married to one Pravesh Mehta @ Nanhka in the
year 2016. She was assaulted in her Sasural for demand of dowry
by the husband and other family members. Finally, she was done
to death by burning in the house of the sister of the deceased.

The learned APP has submitted that there is
statement of the witnesses, who are family member of the
petitioners, in para 43 and 44, in which they have stated that she



committed suicide by burning herself.

Counsel for the petitioners has pointed out the statement of the daughter of the deceased, namely, Gungun, recorded in para 34 of the Case Diary, wherein, she has stated that her mother committed suicide by burning herself. Post Mortem Examination Report also supports her death by burning.

In this manner, there is no specific overt act alleged against these petitioners, who are Devar and Bhaisur of the deceased.

In such circumstances, prayer of the petitioners for anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Aurangabad (Town) P.S. Case No.320 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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